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November 30, 2009

VIA ELECTRONIC FILING

Charles L.A. Terreni
Chief Clerk/Administrator
State of South Carolina Public Service Commission
101 Executive Center Drive, Suite 100
Columbia, SC 29210

Re: Petition of Certain Limousine Companies of Myrtle Beach, South Carolina to the Office of Regulatory Staff and the Public Service Commission of South Carolina to Cease and Desist the Issuance of Dual Authority - **Docket No. 2009-385-T**

Dear Mr. Terreni:

Pursuant to Order No. 2009-705, dated September 30, 2009, attached please find the Office of Regulatory Staff's (ORS') investigation and recommendations in the above referenced docket.

Do not hesitate to call should you have any questions.

Very truly yours,

Nanette S. Edwards

cc: Parties of Record

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November 30, 2009

Charles L.A. Terreni, Esquire
Chief Clerk/Administrator
Public Service Commission of South Carolina
P.O. Drawer 11649
Columbia, South Carolina 29211

Re: Petition of Certain Limousine Companies of Myrtle Beach to Cease and
Desist the Issuance of Dual Authority
Docket No. 2009-385-T
Office of Regulatory Staff ("ORS") Investigation

Dear Mr. Terreni,

The Public Service Commission of South Carolina ("Commission" or "PSC") issued Order No. 2009-705 ("Order") on September 30, 2009 in the above referenced docket. The Order requested that the ORS investigate the matter and make a recommendation to the Commission. ORS submits the following information for the Commission's review.

ORS Investigation and Recommendation

I. Dual Authority Definition

The Petitioners requested the Commission to investigate and cease and desist the issuance of "dual authority." The Commission regulations do not define "dual authority." However, ORS interprets "dual authority" to mean any motor carrier approved by the Commission to operate under more than one type of Class C Certificate of Public Convenience and Necessity. Based on Commission data, it appears that 96 motor carriers possess more than one type of Class C Certificate.

II. ORS Enforcement

ORS concentrated enforcement efforts from August to October on motor carriers operating under than more than one type of Class C Certificate. ORS focused its review on motor carriers operating in the Columbia, Charleston, Myrtle Beach and Greenville areas. Our enforcement confirmed certain Class C Charter carriers were operating on a demand response basis not in compliance with Commission regulations. Motor carriers not operating in compliance with Commission regulations and approved authority received citations from ORS. In addition, ORS met with several of the Petitioners to discuss their concerns on September 27, 2009 in Myrtle Beach.

Commission regulations require motor carriers to register their vehicles semi-annually and purchase license decals. Effective January 1, 2010, motor carriers will not be allowed to register one (1) vehicle under multiple certificates. For example, Motor Carrier A has authority to operate as a Class C Taxi and Class C Charter, but only has one (1) vehicle in its fleet. Motor Carrier A must register the vehicle with ORS as operating under either its Class C Taxi or Class C Charter certificate. Motor Carrier A cannot operate the same vehicle under both types of certificates.

III. Recommendation

It is our position that ORS's concentrated enforcement efforts and the semi-annual vehicle registration process that becomes effective January 1, 2010, addresses several concerns of the Petitioners. However, if the Commission were to schedule a rule-making proceeding or a hearing to address the dual authority matter, ORS would appreciate the opportunity to participate.

Please contact me at 803-737-0814 if I can provide any additional information.

Sincerely,



Dawn Hipp
Director

Telecommunications, Transportation, Water and Wastewater

cc: All Parties of Record